

Serial No. 10/576,561

Amdt. dated June 17, 2009

Reply to Office Action of March 18, 2009

Docket No. P-0772

**REMARKS/ARGUMENTS**

Claims 1-17 are pending. By this Amendment, the specification, and claims 1-10 are amended, and claims 11-17 are added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejected claims 1-10 under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Application No. JP 2002-061599 (hereinafter "JP '599"). The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, an axial fan mounted in the case that blows air in an axial direction thereof, and an orifice provided at an entrance of the shroud, the orifice surrounding and covering the axial fan in such a manner as to prevent sucked air from colliding with blades of the axial fan in a radius direction. Independent claim 6 recites, *inter alia*, an outdoor axial fan that generates a blowing force so that the outdoor air is sucked and thereby passes through the outdoor heat exchanger, and an orifice provided at an entrance of the shroud, the orifice surrounding and covering the axial fan in such a manner as to prevent sucked air from colliding with blades of the axial fan in a radius direction. JP '599 fails to disclose or suggest such features of independent claims 1 and 6, or the respective claimed combinations.

That is, JP '599 is directed to a blowing fan assembly for a window air conditioner that includes a turbo fan 24 including a scroll case 23, a number of blades 242 built in the scroll case 23, a hub 241, and a shroud 243 attached in common to the end of each of the blades 242 at the

opposite side of the hub 241. See, for example, the Abstract and Figs. 1, 4, and 6 of JP '599. The Office Action asserted that the turbo fan 24 of JP '599 corresponds to the claimed axial fan. It is respectfully submitted that the turbo fan 24 of JP '599 is disclosed as a radial fan, and thus, does not correspond to the claimed axial fan. Further, the Office Action asserted that JP '599 discloses "[an] orifice formed on the [ ] shroud." However, JP '599 does not disclose or suggest at least the features of an orifice provided at an entrance of the shroud, the orifice surrounding and covering the axial fan in such a manner as to prevent sucked air from colliding with blades of the axial fan in a radius direction, as recited in independent claims 1 and 6. Rather, the turbo fan 24 of JP '599 blows air in the radial direction, and the blown air flows toward the outlet along an inner face of the orifice. Consequently, part of the blown air will rebound from the inner wall toward the turbo fan 24. Thus, JP '599 suffers the same problems as the prior art discussed in the "Background Art" section of the present application.

Accordingly, the rejection of independent claims 1 and 6 over JP '599 should be withdrawn. Dependent claims 2-5 and 7-10, as well as added claims 11-12, are allowable over JP '599 at least for the reasons discussed above with respect to independent claims 1 and 6, from which they respectively depend, as well as for their added features.

Added claims 13-17 also define over the applied prior art.

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**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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Date: **June 17, 2009**

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